

Exhibit A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

U.S. SMALL BUSINESS
ADMINISTRATION, as Receiver for
PROSPERO VENTURES, L.P.,
Plaintiff,
v.
DONALD K. EMERY,
Defendant,

CASE NO. 07-03741 VRW

[PROPOSED] ORDER GRANTING
DEFENDANT'S APPLICATION FOR
CONTINUANCE OF HEARING ON
PLAINTIFF'S MOTION TO STRIKE
AFFIRMATIVE DEFENSES AND MOTION
FOR JUDGMENT ON THE PLEADINGS

This Court, having read and considered the moving papers in this matter, makes the following finding:

1. Defendant's Application for Continuance of Hearing on Plaintiff's Motion to Strike Affirmative Defenses and Motion for Judgment on the Pleadings is Granted.

2. The hearing on Plaintiff's Motion to Strike Affirmative Defenses and Motion for Judgment on the Pleadings is rescheduled for June 19, 2008 at 2:30 PM.

Chief Judge Vaughn R Walker
United States District Court
Northern District of California

Dated: